

Assembly Bill No. 1062

CHAPTER 392

An act to add Chapter 4.1 (commencing with Section 56375) to Part 30 of the Education Code, relating to special education.

[Approved by Governor September 15, 1999. Filed
with Secretary of State September 15, 1999.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1062, Margett. Special education.

Existing law prohibits a diploma, certificate, or other document, except transcripts and letters of recommendation, from being conferred on a pupil as evidence of completion of a prescribed course of study or training, or of satisfactory attendance, unless the pupil has met the standards of proficiency in basic skills prescribed by the governing board of the high school district, or equivalent thereof. Existing related regulations require the award of a diploma to an individual with exceptional needs who meets public agency requirements for completion of a prescribed course of study and adopted proficiency standards.

This bill would authorize the award of a certificate or document of educational achievement to an individual with exceptional needs who meets certain criteria. The bill would also require that an individual with exceptional needs who meets the criteria for a certificate or document of educational achievement is eligible to participate in any graduation ceremony and any school activity related to graduation in which a pupil of similar age without disabilities would be eligible to participate.

The bill would require the Advisory Commission on Special Education, on or before July 1, 2000, to report to the State Board of Education, the Superintendent, the Legislature, and the Governor on the practice of awarding certificates or documents of educational achievement and diplomas to individuals with exceptional needs.

The people of the State of California do enact as follows:

SECTION 1. (a) The Legislature finds and declares that individuals with exceptional needs are not being appropriately recognized when they complete their schooling by means of an alternative course of study, or when they satisfactorily meet the goals and objectives in their individualized education program, or have satisfactorily attended high school, participated in the instruction prescribed in their individualized education program and have met their individualized education program transition plan.

(b) The Legislature further finds and declares that individuals with exceptional needs are often excluded from participation in graduation ceremonies and related activities even though they have achieved or completed what was prescribed in their individualized education program during their high school years.

(c) It is, therefore, the intent of the Legislature that Chapter 4.1 (commencing with Section 56375) be added to Part 30 of the Education Code to recognize the educational achievement or completion of individuals with exceptional needs when they complete high school and allow these individuals to participate in graduation ceremonies and related activities along with their nondisabled peers.

SEC. 2. Chapter 4.1 (commencing with Section 56375) is added to Part 30 of the Education Code, to read:

CHAPTER 4.1. RECOGNITION FOR EDUCATIONAL ACHIEVEMENT OR
COMPLETION OF PROGRAM

56375. Notwithstanding Section 51412 or any other provision of law, a local educational agency may award an individual with exceptional needs a certificate or document of educational achievement or completion if the requirements of subdivision (a), (b), or (c) are met.

(a) The individual has satisfactorily completed a prescribed alternative course of study approved by the governing board of the school district in which the individual attended school or the school district with jurisdiction over the individual and identified in his or her individualized education program.

(b) The individual has satisfactorily met his or her individualized education program goals and objectives during high school as determined by the individualized education program team.

(c) The individual has satisfactorily attended high school, participated in the instruction as prescribed in his or her individualized education program, and has met the objectives of the statement of transition services.

56376. An individual with exceptional needs who meets the criteria for a certificate or document described in Section 56375 shall be eligible to participate in any graduation ceremony and any school activity related to graduation in which a pupil of similar age without disabilities would be eligible to participate. The right to participate in graduation ceremonies does not equate a certificate or document described in Section 56375 with a regular high school diploma.

56377. It is not the intent of the Legislature by enacting this chapter to eliminate the opportunity for an individual with exceptional needs to earn a standard diploma issued by a local or state educational agency when the pupil has completed the prescribed

course of study and has passed the proficiency requirements with or without differential standards pursuant to Section 51215.

56378. On or before July 1, 2000, the Advisory Commission on Special Education shall, pursuant to Section 33595, study and report to the State Board of Education, the Superintendent of Public Instruction, the Legislature, and the Governor on the practice of awarding certificates or documents of educational achievement or completion and diplomas, as appropriate, to individuals with exceptional needs. The report shall contain recommendations for improving the system of recognition for educational achievement or completion of studies to individuals with exceptional needs.

